

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 725**

Introduced by Stuthman, 22; Combs, 32; Synowiecki, 7

Read first time January 19, 2005

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to medication; to adopt the Community Health
- 2 Medication Distribution Act.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1.     Sections 1 to 5 of this act shall be known  
2     and may be cited as the Community Health Medication Distribution  
3     Act.

4           Sec. 2.   For purposes of the Community Health Medication  
5     Distribution Act:

6           (1) Community health center means a grant-funded  
7     community health center carrying out programs funded pursuant to  
8     the Health Centers Consolidation Act of 1996, 42 U.S.C.201 et seq.;

9           (2) Community health medication means a prescription drug  
10    (a) which is (i) distributed to a community health center, (ii)  
11    labeled for use by a named client of such community health center,  
12    (iii) in the possession of the community health center, and (iv)  
13    unopened and unexpired and (b) which has not been and will not be  
14    provided to the named client for medical reasons or other reasons  
15    within the discretion of the community health center;

16          (3) Department means the Department of Health and Human  
17    Services Regulation and Licensure; and

18          (4) Prescription drug has the definition found in section  
19    71-1,142.

20          Sec. 3.   (1) A community health center may enlist the  
21    service of a local pharmacist or pharmacy to relabel any community  
22    health medication for distribution by the community health center  
23    to a person other than the client named in the original labeling.  
24    The community health center shall provide to the participating  
25    pharmacist or pharmacy a prescription or other appropriate document  
26    demonstrating the person's eligibility to receive the community  
27    health medication from the community health center, along with the  
28    community health medication to be relabeled.

1           (2)    The pharmacist or pharmacy shall relabel the  
2 community health medication for use by the person named in the  
3 prescription or other document described in subsection (1) of this  
4 section and shall make the relabeled community health medication  
5 available to the community health center for distribution to such  
6 person.

7           Sec. 4.    Participation by a pharmacist or pharmacy in  
8 relabeling of a community health medication described in section 3  
9 of this act is voluntary, except that such pharmacist or pharmacy  
10 shall participate if the community health center agrees to pay a  
11 fee to the participating pharmacist or pharmacy, which fee shall  
12 not exceed ten percent of the value of the community health  
13 medication.

14          Sec. 5.    The department may adopt and promulgate rules  
15 and regulations to carry out the Community Health Medication  
16 Distribution Act.